

ACCEPTED

11/9/22

OFFICE OF ADMINISTRATIVE RULES

OKLAHOMA SECRETARY OF STATE

DOCKET# 22-848 OAR/cert CN

**TITLE 785. OKLAHOMA WATER RESOURCES BOARD
CHAPTER 35. WELL DRILLER AND PUMP INSTALLER LICENSING**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions

785:35-1-4. Violations and penalties [AMENDED]

785:35-1-6. Well Drillers and Pump Installers Advisory Council [AMENDED]

Subchapter 5. General Requirements to Maintain Licenses and Operator Certifications

785:35-5-3. Requirements for ~~multi-purpose completion~~ and plugging report reports
[AMENDED]

SUMMARY:

The Oklahoma Water Resources Board ("Board") proposes to amend Chapter 35 of Title 785 of the Oklahoma Administrative Code ("OAC") as follows:

OAC 785:35-1-4 is proposed to be amended to increase the administrative penalty issued to contractors for failing to file completion and plugging reports. The purpose of the amendment is to increase compliance with reporting requirements.

OAC 785:35-1-6 is proposed to be amended to award continuing education units for time spent by the members of the Advisory Council meeting to perform their duties. The purpose of the amendment is to compensate Council members for their time, encourage participation in the duties of the Council, and motivate contractors to seek membership on the Council.

OAC 785:35-5-3 is proposed to be amended to specify requirements for well completion and plugging reports that must be submitted to the Board by the contractor. The purpose of the amendment is to provide a record for the contractor to ensure that wells are being constructed to the standards of the Chapter. Complete well construction records are necessary for the Board to administer and appropriate water rights, study groundwater basins, and protect the groundwater from pollution and waste.

AUTHORITY:

Oklahoma Water Resources Board; 82.O.S. § 1085.2; 82 O.S. § 1020.16.

COMMENT PERIOD:

Persons wishing to present written comments may do so at 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118 before 5:00 P.M. on January 17, 2023. Written comments may also be submitted via e-mail to Cris.Krittenbrink@owrb.ok.gov before 5:00 PM on January 17, 2023. Persons wishing to present oral comments to the Board may do so at the public hearing on January 17, 2023.

PUBLIC HEARING:

A public hearing will be held January 17, 2023, during the monthly meeting of the Board which will begin at 9:30 a.m. in the Board Room of the Board's offices located at 3800 North Classen Blvd., Oklahoma City, Oklahoma, 73118.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

The Board requests that any business entities affected by these proposed rules provide, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules. Business entities may submit this information in writing to Chrystal Krittenbrink at 3800 North Classen, Oklahoma City, Oklahoma before the close of the comment period.

COPIES OF PROPOSED RULES:

Copies of the proposed amendments may be reviewed at the Board's office location at 3800 North Classen Blvd., Oklahoma City, Oklahoma 73118, or may be obtained from the "Contact Person" identified below upon prepayment of the copying charge. The proposed rules may also be viewed on the Board web site at <http://www.owrb.ok.gov>.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., § 303(D), a Rule Impact Statement is available for review at the OWRB's office, 3800 North Classen, Oklahoma City, Oklahoma. The Rule Impact Statement may also be viewed on the OWRB web site at <http://www.owrb.ok.gov>.

CONTACT PERSON:

Chrystal Krittenbrink, Legal Secretary, 405-530-8800, Cris.Krittenbrink@owrb.ok.gov.